

Environmental Protection Agency

§ 63.71

a permit application is approved under § 63.52 or § 63.54, and the level of control required by the promulgated standard is less stringent than the level of control required by any emission limitation in the prior MACT determination, the permitting authority is not required to incorporate any less stringent emission limitation of the promulgated standard in the title V permit and may in its discretion consider any more stringent provisions of the MACT determination to be applicable legal requirements when issuing or revising such a title V permit.

[67 FR 16611, Apr. 5, 2002]

Subpart C—List of Hazardous Air Pollutants, Petitions Process, Lesser Quantity Designations, Source Category List

§ 63.60 Deletion of caprolactam from the list of hazardous air pollutants.

The substance caprolactam (CAS number 105602) is deleted from the list of hazardous air pollutants established by 42 U.S.C. 7412(b)(1).

[61 FR 30823, June 18, 1996]

§ 63.61 [Reserved]

§ 63.62 Redefinition of glycol ethers listed as hazardous air pollutants.

The following definition of the glycol ethers category of hazardous air pollutants applies instead of the definition set forth in 42 U.S.C. 7412(b)(1), footnote 2: Glycol ethers include mono- and di-ethers of ethylene glycol, diethylene glycol, and triethylene glycol $R-(OCH_2CH_2)_n-OR'$.

Where:

$n = 1, 2, \text{ or } 3$;

$R = \text{alkyl C7 or less; or}$

$R = \text{phenyl or alkyl substituted phenyl;}$

$R' = H \text{ or alkyl C7 or less; or}$

OR' consisting of carboxylic acid ester, sulfate, phosphate, nitrate, or sulfonate.

[65 FR 47348, Aug. 2, 2000]

§§ 63.63–63.69 [Reserved]

Subpart D—Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants

§ 63.70 Applicability.

The provisions of this subpart apply to an owner or operator of an existing source who wishes to obtain a compliance extension from a standard issued under section 112(d) of the Act. The provisions of this subpart also apply to a State or local agency acting pursuant to a permit program approved under title V of the Act. The Administrator will carry out the provisions of this subpart for any State that does not have an approved permit program.

§ 63.71 Definitions.

All terms used in this subpart not defined in this section are given the same meaning as in the Act.

Act means the Clean Air Act as amended.

Actual emissions means the actual rate of emissions of a pollutant, but does not include excess emissions from a malfunction, or startups and shutdowns associated with a malfunction. Actual emissions shall be calculated using the source's actual operating rates, and types of materials processed, stored, or combusted during the selected time period.

Artificially or substantially greater emissions means abnormally high emissions such as could be caused by equipment malfunctions, accidents, unusually high production or operating rates compared to historical rates, or other unusual circumstances.

EPA conditional method means any method of sampling and analyzing for air pollutants that has been validated by the Administrator but that has not been published as an EPA Reference Method.

EPA reference method means any method of sampling and analyzing for